



Docket No.: 201859US0PCT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

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1646  
BOX  
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OBLON  
SPIVAK  
McCLELLAND  
MAIER  
&  
NEUSTADT  
P.C.

ATTORNEYS AT LAW

RE: Application Serial No.: 09/720,828

Applicants: Jacques THEZE, et al.

Filing Date: March 1, 2001

For: PEPTIDES OF IL-2 AND DERIVATIVES THEREOF  
AND THEIR USE AS THERAPEUTIC AGENTS

Group Art Unit: 1646

Examiner: Prema Maria Mertz

SIR:

Attached hereto for filing are the following papers:

**Response and Statement (2 pp.)**

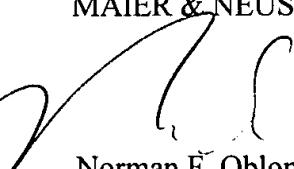
**Substitute Sequence Listing Computer Readable Form (CRF) Diskette**

**Copy of Office Communication Dated July 1, 2002**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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22850

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/720,828	03/01/2001	Jacques Theze	201859US0PCT	7712

22850 7590 07/01/2002  
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC  
FOURTH FLOOR  
1755 JEFFERSON DAVIS HIGHWAY  
ARLINGTON, VA 22202

EXAMINER

MERTZ, PREMA MARIA

ART UNIT

PAPER NUMBER

1646

DATE MAILED: 07/01/2002 ij

Please find below and/or attached an Office communication concerning this application or proceeding.

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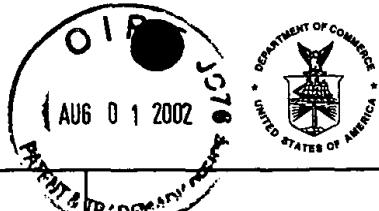
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RECEIVED: 7-3-02  
OBLON, SPIVAK, McCLELLAND  
MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: 7-3-02

Type of Resp(s): Re-Entry Due  
Due Date(s): 8-1-02



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DEAFCE-1994

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER	
ART UNIT	PAPER NUMBER
11	

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

1. The communication filed 9/24/01 is not fully responsive to the Office communication mailed 5/4/01 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the above-mentioned reply appears to be *bona fide* attempt to comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825), applicant is given a TIME PERIOD of ONE (1) MONTH from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid abandonment of the application under 37 CFR 1.821(g). EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

A reply to a notice to comply with the sequence rules should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office.

Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Bio  
(<http://www.uspto.gov/ebc/efs/downloads/documents.htm>), EFS Submission User Manual - ePAVE)

2. Mailed to:  
U.S. Patent and Trademark Office  
Box Sequence, P.O. Box 2327  
Arlington, VA 22202

3. Mailed by Federal Express, United Parcel Service or other delivery service to:  
U. S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Box Sequence  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

4. Hand Carried directly to the Customer Window at:  
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Arlington, Virginia 22202

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***Advisory Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prema Mertz whose telephone number is (703) 308-4229. The examiner can normally be reached on Monday-Friday from 8:00AM to 4:30PM (Eastern time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne Eyler, can be reached on (703) 308-6564.

Official papers filed by fax should be directed to (703) 308-4227. Faxed draft or informal communications with the examiner should be directed to (703) 308-0294.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

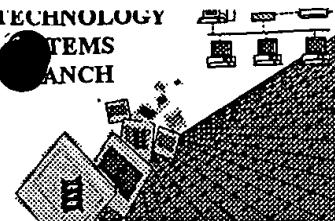
*Prema Mertz*

Prema Mertz Ph.D.

Primary Examiner

Art Unit 1646

June 10, 2002



## CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/720,828

Filing Date: 1/16/2001

Date Processed by STIC: 7/6/2001

STIC Contact: Mark Spencer, 703-308-4212

### Nature of Problem:

The CRF (was):

- Damaged or Unreadable (for Unreadable, see attached)
- Blank (no files on CRF) (see attached)
- Empty file (filename present, but no bytes in file) (see attached)
- Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.
- Not saved in ASCII text
- Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.
- Did not contain a Sequence Listing. (see attached sample)
- Other: \_\_\_\_\_

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**PLEASE USE THE CHECKER VERSION 3.0 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR DETAILS:**

### **Checker Version 3.0**

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 – 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

**Checker Version 3.0 can be down loaded from the USPTO website at the following address:**

**<http://www.uspto.gov/web/offices/pac/checker>**

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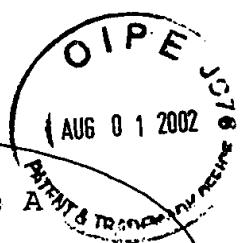
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09/720,828

C:\WINDOWS>A:

General failure reading drive A  
Abort, Retry, Fail?F

General failure reading drive A  
Abort, Retry, Fail?



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On screen message  
when STC PC tried to  
read submitted disk

C:\WINDOWS>A:

General failure reading drive A  
Abort, Retry, Fail?F

General failure reading drive A  
Abort, Retry, Fail?